App I. IX-4

1925.

File No. 232-1-5

Previous references. (Mangai)

Mag: 232-25-1-5

Serial Nos. 6 - 7

Later references.

27

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for September 1926.

SUBJECT Transfer towards the Endowment Acceptance of the bonds ~~endowment for the~~ for the benefit of the Vinayaka Hostel by Lakshmidevamma

---

No 611 dated 5 To the Mag Conr
25 & 26

The bonds will remain with the Comptr—

WD 01264—GPB—40,000 –17-12-25

General and Revenue Secretariat

Mercy File No 232 of 1925

Serial No

6

For the Mercy Commr.

No C. 1386 of 1925-26. dt 7.8.1926 states that as regards the accepting the endowment of Rs 40,000/- offered by Mrs Lakshmidevamma offered in the shape of bonds, the Comptroller submits special orders of Govt in the Financial Dept as to if the bonds are to be accepted without a succession certificate by a competent Court of Law.

1) The orders of Govt communicated in Letter No 15 / Mercy 232-25 dt 19.4.26. that there is no harm in accepting the bonds was based on the Legal Dept's opinion dt 25th March 1926. — Copy of which was forwarded to the Mercy Commr —.

2) It is for orders, if for the special orders of Govt in the Financial Dept as required by the Comptroller, this may be transferred to the P.C. Offr.

Submd. with reference —

Sd/ 20/8/26

3 This may be sent to the Fin & Branch for action.

Rev. Secy)

21/8

Fin & Br

NOTE—Contn. Sheet

Serial No.

The acceptance of the Endowment has been ordered in NO R Dis 162/25-26 dated 7/5/26

Flag O

5) The case relates to the acceptance of the endowment of Rs 40000 (5% bonds) offered by mrs Laxshmidevamma widow of late munivenkatiah Setti for the Vasya Hostel. The comptroller has returned the bonds stating that the title of the Dewan to the bonds can be recognised only on the authority of a succession certificate or of the bonds have to be accepted without a certificate of succession orders of govt in the finance department are necessary

6) As observed in the file placed below the title to the bonds offered as Endowment is under dispute. Legal advice was taken (vide opinion on pages 4-5 of the notes in the file placed below) and the endowment was accepted on certain conditions -

7) Before finally accepting the endowment the title of the widow to the bonds should be clearly established. The result of the suit pending in the 2nd Court may perhaps be awaited before the finance acceptance of the bonds as claimants deposit be communicated from the finance branch

Secy mlly W 30/8/26

8) The L.d Secy has already given his opinion if necessary we may ask for it again. It is not clear from the papers if a Probate of the will has been obtained

B 3/9

HSS

FINANCE DEPARTMENT G. No

NOTE—Contn. Sheet

WD 01264—GPB—40,000—17-12-25

9) I am inclined to think that the May Comms order of 7th May 1926 - Hy O - has proceeded beyond the terms of the Govt. communication -

10) The bonds were required to be placed in hand and deposited with the Complt - They were obtained for the purpose of the endowments as asked for by the donors only after the civil suit was disposed of in their favour -

11) I do not - however - think it was the intention that - the disposal of the suit the interest on the bonds shd be drawn and disbursed for conducting the charities - For if the plaintiffs shd succeed Govt will have to pay to them the interest thus disbursed to the party not legally entitled to it -

12) It would, I think, be safer in the circumstances of the case to defer removal of the notes till after the suit is disposed of - Now is it possible to authorise the payment of interest now. But the endowment has been accepted by the M.C on the condition of paying over the half yearly interest for the charities - The contract is completed & I fear there might be complication if interest be now withheld from payments to Lakshmi Devamma To L. L. Secy with compliments as regards the action that may now be taken on the M.C's reference -

h
5-9-26.

13 The renewal of the bonds in the name of the Dewan may be made now, & the payment of interest may be deferred until after the Suit is disposed of.

Put Secy with Compts

14) To Revt Secy with Compliments under Compliments from the Secy to Govt.

FINANCIAL SECRETARY
8 SEP [illegible]
Note No / Contn. Sheet

WD 01264—GPB—40,000 -17-12-25

and Revenue Secretariat | 9 File No 232 of 1925.

Serial No

15) The object in renewing the Bonds in the name of the Dewan is not quite clear if not interest should be drawn immediately and no charities transferred from interest till the civil suit is disposed of.

The title of the donor to the endowment is yet in dispute and it seems to serve no useful purpose in treating it as valid endowment until the title is fully established

Submitted for order

EPDO 10.9.26

2nd member)

16) Please invite M.C.'s attention to the order of 19.4.26 and ask him to amend his order of 25.5.26. He may explain to Dewan why this amendment is necessary pending disposal of suit. A copy of Govt. ordered to M.C. may be sent to Comptr.

MC 21.9.26.

EPDO 16.9.26

Draft 16/9

Please add that until the title to the lands will remain in Govt. Custody but neither renewal in Dewan's name nor drawing of interest can be arranged for

17) Draft Sub, for approval.

RC 15/9. Rev. Secy 17/9

18) Appr Issue

EPDO 17.9.26

NOTE —Contn. Sheet

WD 01264—GPB—40,000—17-12-25

General and Revenue Secretariat

Mur File No. 232 of 192 6

Serial No. 7

To, Mur Commr No 611 Dt 25.9.26
Invites ref to para 2
of letter No 1331 Dt 19.4.26 from Govt &
requests him to amend his order
of 7.5.26 in accordance with Thiele
and states that until the question
of title is decided in Civil Court
the lease should remain with
the Corpn, in Govt Records,
but neither the renewal in
Dewan's name nor the drawing
of rent should be interrupted. The

NOTE—Contn. Sheet

No. C 1386 225.26 Office of the Muzrai Commissioner in Mysore,
enclone

Dated Bangalore, 6th August 1926.

From

B. Ramaswamaiya, Esquire., B.A., B.L.,
Muzrai Commissioner in Mysore,
Bangalore.

To

C. Ranganatha Rao Saheb, Esquire., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Revenue Department.

Sir,

In continuation of this office letter No.1016 dated 7th May - 1926 forwarding copy of order accepting the endowment of Rs.40000/- offered in the shape of bonds by Mrs. Lakshmidevamma for the benefit of the Vaisya Hostel at Bangalore under certain conditions, I have the honor to state that the Comptroller in his letter No.4257/SL dated 26th June 1926 (copy enclosed) states that the title of the Dewan of Mysore to the bonds in question can be recognised only on the authority of a succession certificate of a competent Court of Law and that if the bonds in question have to be accepted without - it, special orders of Government in the Financial Department are -- necessary. In these circumstances I solicit the special orders of Government in the matter.

I have the honor to be,
Sir,
Your most obedient servant,
B Ramaswamaiya
Muzrai Commissioner.

KSR.

Letter No.4257/SL dated 26th June 1926 from the Comptroller Government of Mysore to the Muzrai Commissioner in Mysore.

- - - - - - -

"I have the honor to return herewith the 6½% bonds for Rs.40,000 relating to the endowment of Mrs. Lakshmidevamma forwarded with your letter No.C.1386 of 10th June 1926 and to intimate that as already -- stated in this office letter No.4015/SL dated 31st May 1926, the title of the Dewan of Mysore to the bonds in question can be recognised only on the authority of a succession certificate of a competent court of Law (vide article 357 of Mysore Account Code, Volume 1). As per -- para 35 of the Government Securities manual, Government is responsible for the payment of interest to the actual owner of a note, and the -- acceptance of the bonds without the endorsement itself not being --- properly validated, will not be of any use. Further, as it is seen from your letter that the title to the notes in question is a disputed one, it is advisable that the notes are tendered for renewal before they are accepted as an endowment by you.

If the bonds in question have to be accepted without a succession

certificate, specific orders of Government in the Finance Department may kindly be obtained."

"C o p y"

for Muzrai Commissioner.

611

Muz.232-25-7

To

25-9-26

The Muzrai Commr. in Mysore.

Sir,

With reference to your letter No.C. 1386 of 1925-26 dated 7-8-1925 soliciting that special orders of Govt. in the Financial Deptt. may be accorded for the acceptance of the bonds tendered towards the endowment for the benefit of the Vaisya ~~Kaskak~~ Hotel by ~~M/~~ Lakshmidevamma, without her obtaining a ~~succession~~ succession certificate from a competant court of Law, as required by the Comptroller, I am directed to invite your attention to para 2 of this office letter No. 1331/Muz.232-25 dated 19-4-26 and to request you to kindly amend ~~(para 2)~~ your order No. R. Dis.162 of 1925-26 dated 7-5-1926 in accordance therewith, and arrange for the bonds being held in trust and deposited with the Comptroller, ~~the payment of the interest being deferred until after the disposal of the suit.~~ pending decision in the civil suit.

(Subject to approval).

I am to request that you may kindly explain to the Donor (~~Mrs~~. Lakshmidevamma) why this amendment of your order of 7-5-1926 is necessary, pending disposal of the suit.

~~may also be informed~~ am to add that until the question of title is ~~the grant of succession certificate~~ is settled, the bonds will remain with the Comptroller, in Govt. custody, but ~~that~~, neither the renewal in Dewan's name nor the drawing of interest can be arranged for. ~~by him.~~

~~A copy of this communication has been~~

22?
25/9

sent to the Comptroller for his information

I have &c.

Rev. Secy. to Govt.

No 612 dated 21st September 19:

Copy to Comptroller for information.

B. O.

Rev. Secy. to Govt.